

House File 2174 - Introduced

HOUSE FILE _____
BY HEDDENS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act imposing requirements on the driver of a motor vehicle
2 involved in a single-vehicle accident and making a penalty
3 applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5585HH 82
6 dea/nh/5

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1 1 Section 1. NEW SECTION. 321.263A ACCIDENTS INVOLVING A
1 2 SINGLE VEHICLE.
1 3 1. Except as provided in subsection 2, the driver of a
1 4 vehicle involved in an accident in which no other vehicle is
1 5 involved and which results in injury to the driver or damage
1 6 to the vehicle shall remain with the vehicle at the scene of
1 7 the accident, except as necessary to seek essential aid or
1 8 report the accident to law enforcement authorities, to allow
1 9 an investigation of the accident by a peace officer in
1 10 accordance with section 321.266.
1 11 2. If the driver of a vehicle involved in an accident in
1 12 which no other vehicle is involved is uninjured and the
1 13 vehicle is capable of being safely and lawfully operated on
1 14 the highway, the driver may remove the vehicle from the scene
1 15 of the accident and report the accident to the department if
1 16 required pursuant to section 321.266.
1 17 Sec. 2. Section 321.484, subsection 2, Code Supplement
1 18 2007, is amended to read as follows:
1 19 2. If a peace officer as defined in section 801.4 has
1 20 reasonable cause to believe the driver of a motor vehicle has
1 21 violated section 321.261, 321.262, 321.263A, 321.264, 321.341,
1 22 321.342, 321.343, 321.344, or 321.372, the officer may request
1 23 any owner of the motor vehicle to supply information
1 24 identifying the driver. When requested, the owner of the
1 25 vehicle shall identify the driver to the best of the owner's
1 26 ability. However, the owner of the vehicle is not required to
1 27 supply identification information to the officer if the owner
1 28 believes the information is self-incriminating.
1 29 EXPLANATION
1 30 This bill requires that when a single-vehicle accident
1 31 occurs resulting in injury to the driver or damage to the
1 32 vehicle, the driver must remain with the vehicle at the scene
1 33 of the accident to allow an investigation of the accident by a
1 34 peace officer. An exception is allowed if the driver must
1 35 leave the vehicle to seek essential aid or report the accident
2 1 to law enforcement authorities. Also, in the case of a minor
2 2 accident in which the driver is not injured and the vehicle is
2 3 capable of being safely and lawfully operated, the driver may
2 4 remove the vehicle from the scene of the accident and report
2 5 the accident to the department of transportation as required
2 6 by law. Current law requires the driver of a vehicle involved
2 7 in an accident resulting in injury to any person or total
2 8 property damage to an apparent extent of \$1,000 or more to
2 9 make a written report to the department within 72 hours of the
2 10 accident unless the accident is investigated by law
2 11 enforcement authorities.
2 12 The bill specifies that if a peace officer has reason to
2 13 believe that the driver of a motor vehicle left the scene of a
2 14 single-vehicle accident in violation of the new requirements,
2 15 the peace officer may request that the owner of a motor
2 16 vehicle supply information identifying the driver of a motor
2 17 vehicle. However, the owner is not required to supply
2 18 self-incriminating information.
2 19 Pursuant to the provisions of Code section 321.482, failure

2 20 to remain at the scene of a single-vehicle accident as
2 21 required in the bill is a simple misdemeanor, punishable by
2 22 confinement for no more than 30 days or a fine of at least \$65
2 23 but not more than \$625 or by both.
2 24 LSB 5585HH 82
2 25 dea/nh/5